

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

UN

CAUSE NUMBER: 8314-BB09-0603-007

IN THE MATTER OF:

Roger Mitchell,  
Respondent.

606 N 780 E  
Greentown, IN 46936

Agency Action: Bail Agent Enforcement

Indiana License No. 5208

**FILED**

JUN 08 2009

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINDINGS OF FACT AND CANCELLATION ORDER**

WHEREAS, on August 29, 2008, the Indiana Department of Insurance Bail Bond Division ("Division") received notification from Lexington National Insurance Corporation that the appointment of Roger Mitchell ("Respondent") to represent the company as a bail agent was terminated, effective immediately. *See Exhibit "A" attached hereto.*

WHEREAS, on March 13, 2009, the Division sent a letter to Respondent at both his business and residence addresses of record informing him that, pursuant to Ind. Code §27-10-3-13, if he was not appointed with another surety company within thirty (30) days, he must surrender his license to the Commissioner for cancellation. *See Exhibit "B" attached hereto.*

WHEREAS, the March 13, 2009 letter sent to Respondent's business address was returned to the Division by the U.S. Postal Service ("USPS") marked "return to sender, attempted not known." *See Exhibit "C" attached hereto.*

WHEREAS, the March 13, 2009 letter sent to Respondent's residence address was returned to the Division by the USPS marked with a new address. *See Exhibit "D" attached hereto.*

WHEREAS, on March 19, 2009, the March 13, 2009 letter was re-sent to Respondent at the 606 N 780 E address in Greentown, Indiana, as provided by the USPS. *See Exhibit "D" attached hereto.*

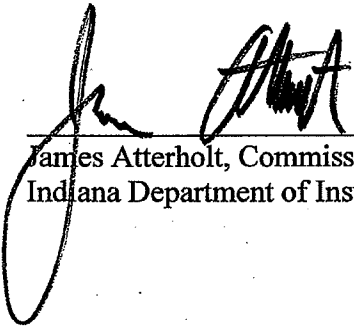
WHEREAS, the March 13, 2009 letter sent to Respondent at the new address in Greentown has not been returned to the Division as undeliverable by the USPS.

WHEREAS, to date Respondent has failed to respond to the March 13, 2009 letter, has failed to surrender his license, and more than thirty (30) days have passed since the termination of his appointment.

IT IS THEREFORE ORDERED BY THE COMMISSIONER that Respondent's bail agent license, number 5208, is hereby cancelled, effective immediately.

FURTHERMORE, Respondent may make written demand to the Commissioner for a hearing before the Commissioner to determine the reasonableness of the Commissioner's action.

ALL OF WHICH IS ORDERED this 8 day of June, 2009.

  
James Atterholt, Commissioner  
Indiana Department of Insurance